

**REMARKS**

Specification and Drawings have been amended. Claims 1-6 and 11 have been amended. Claims 7, 12 and 13 have been cancelled. New claim 14 has been added.

Claim 14 has been added. Please charge the claims fee in the amount of \$200.00 and any other fees for entry of this Amendment to our Deposit Account No. 03-3415.

The Examiner has objected to applicants' Brief Summary of the Invention section as reciting primarily a sample claim. Applicants have amended the Brief Summary of the Invention section to clearly point out the features of applicants' invention and to point out the advantages of the invention. The amended Brief Summary of the Invention section is believed to be in a proper form, thereby obviating the Examiner's objection.

The Examiner has objected to applicants' "Brief Description of the Drawings" section as only listing "Fig. 2" as the drawing where it has sub-figures 2(a-1), 2(a-2), 2(b-1), 2(b-2) and 2(b-3). The Examiner has also objected to applicants' FIGS. 2-4 as failing to comply with 37 CFR 1.84(p)(5) because they include reference characters not mentioned in the description.

Applicants' FIGS. 2-4 show a zooming operation of the invention and include images or parts (a-1), (a-2), (b-1), (b-2) and (b-3) obtained by carrying out the zooming operation. In order to clarify applicants' FIGS. 2-4 and that the images (a-1), (a-2), (b-1), (b-2) and (b-3) are not sub-figures of FIGS. 2-4, applicants have amended applicants' FIGS. 2-4 to remove the labels (a-1), (a-2), (b-1), (b-2) and (b-3). Applicants have also amended the specification to delete references to (a-1), (a-2), (b-1), (b-2) and (b-3) and to refer to these images by the corresponding reference numbers shown in FIGS. 2-4, i.e. 210, 212, 214, 216, 218 in FIG. 2, 220, 222, 224, 226 and 228 in FIG. 3 and 230, 232, 234, 236 and 238 in FIG. 4. The Examiner's objections are therefore obviated.

The Examiner has also objected to applicants' specification and to FIG. 5 as failing to use correct, idiomatic English. In particular, the Examiner has argued that the phrase "has become free from its depression" on page 16, lines 15-18 of applicants' specification and the label "Magnification Button is Free from Its Depression?" in FIG. 5 of applicants' drawings do not use correct idiomatic English. The Examiner has suggested that the correct phrasing should be "is no longer depressed." Applicants have amended FIG. 5 and the specification as suggested by the Examiner, thereby obviating the Examiner's objections.

The Examiner has objected to applicants' claims 7 and 12 because of certain informalities. The Examiner has also objected to applicants' claims 1-13 because the term "magnification manipulation" is a generic term that does not convey applicants' desired meaning from the specification. Applicants have amended applicants' claims 1-6 and 11 to recite a "magnification change operation" in place of "variable magnification manipulation." Applicants believe that the term "magnification change operation" clearly conveys the desired meaning and that the Examiner's objection is therefore overcome.

The Examiner has rejected applicants' claim 5 under 35 USC 101 because the claimed invention is directed to non-statutory matter. The Examiner has argued that claim 5 recites a computer program not on computer readable media. Applicants have amended claim 5 to recite a program "computer-readably recorded on a recording medium" and believe that applicants' amended claim 5 is directed to statutory subject matter and is therefore in compliance with the requirements of 35 USC 101.

The Examiner has rejected applicants' claims 3 and 11-13 under 35 USC 101 as not being directed to statutory subject matter and as not technologically embodied. Applicants respectfully disagree with and traverse the Examiner's rejection. More particularly, 35 USC

101 permits patents to be granted for any “new and useful process, machine, manufacture, or composition of matter” and 35 USC 100 further defines the term “process” as “process, art, or method, and includes a new use of a known process, machine, manufacture, composition of matter, or material.” Each of applicants’ independent claims 3 and 11 is directed to a method and recites steps, including the steps of reading out and storing image data in a first and/or second memory, re-sizing image data and displaying image data. Applicants’ claims 3 and 11 also recite tangible technological elements used to perform the recited steps, including the first memory and the second memory from which the data is read out and in which the data is stored and a display device on which the image data is displayed. Accordingly, applicants’ independent claims 3 and 11, and their respective dependent claims are technologically embodied, and are in compliance with the requirements of 35 USC 101.

The Examiner has rejected applicants’ claims 1, 3 and 5 under 35 USC 112, first paragraph, because the specification, while being enabling for the memory and display control means, does not reasonably provide enablement for the re-size means and re-size control means. Applicants’ claims 2 and 4 have been rejected under 35 USC 112, first paragraph, for not correcting the deficiencies of their parent claims. The Examiner has argued that FIG. 1 clearly shows two re-sizing units – one as element 17, labeled as “Re-size Circuit” and another as element 24, labeled as “Re-size Display Circuit” and that it is unclear from the specification the precise order in which these two re-size circuits are used.

Applicants’ amended independent claim 1 recites the “first re-size means for reading out image data from a first memory that stores therein image data and re-sizing the read-out image data” and a “control means for, while the magnification change operation is carried out, instructing the display control means to make the display means thereon the image re-sized by

the display control means without newly reading out the image data from the first memory, and after the magnification changing operation is fixed, instructing the first re-size means to re-size image data newly read out from the memory, in accordance with contents of the fixed magnification change operation." Applicants' amended independent claims 3 and 5 recite similar features.

The "first re-size means" is shown in FIG. 1 as a "Re-Size Circuit" (17) and disclosed on page 6, lines 18-20 of applicants' specification which states that "[r]eference numeral 17 denotes a re-size circuit for re-sizing image data into that of a desired size." The "control means" is shown as the "System Control Unit" (40) and disclosed on page 9, line 25 to page 10, line 5. In particular, as shown in FIG. 1 and disclosed on page 9, lines 25-27, the "System Control Unit" controls the whole video signal apparatus 100, including the "Re-size Display Circuit" (24) which corresponds to the "display control means" recited in claim 1. The function of the control means is disclosed on page 14, lines 2-15 and lines 21-27.

Applicants' claims 1, 3 and 5, as amended, are thus supported by an enabling disclosure, in compliance with the provisions of 35 USC 112, first paragraph.

The Examiner has also rejected applicants' claims 7-13 under 35 USC 112, first paragraph, because the specification, while being enabling in most limitations, does not reasonably provide enablement for two separate memories, e.g. image display memory and generic first memory. Applicants have cancelled claims 7, 12 and 13 and with respect to these claims, the Examiner's rejection is traversed. Applicants have amended independent claims 6 and 11 to recite a first memory and a second memory.

The Examiner has argued that although FIG. 1 shows two separate memory areas within the DRAM, the claims disclose two physically separate memories, not two logically separate

memories as shown in FIG. 1, and that two separate memory areas will not work to provide enablement for applicants' claims. Applicants respectfully disagree with the Examiner's arguments.

In particular, there is no requirement in applicants' independent claims 6 and 11 that the first and second memories are physically separate. Rather, applicants' claims 6 and 11 only recite that picked-up image or image data is stored in the first memory and re-sized image data is stored in the second memory. Moreover, the DRAM (21) shown in FIG. 1 may be partitioned to form the first memory (image display memory area) for storing image data and the second memory (memory area) for storing re-sized image data. FIG. 1; Page 7, line 25 to page 8, line 8. As schematically shown in FIG. 1, the first memory may be formed within the DRAM as a physically separate memory from the second memory. Applicants therefore believe that first memory and the second memory which are separate from one another are clearly disclosed in the applicants' specification and drawings, and that claims 6-11 comply with 35 USC 112, second paragraph.

The Examiner has rejected applicants' claims 6-10 under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has argued that the term "temporarily" in claim 6 is a relative term that renders the claim indefinite. In order to overcome this rejection, applicants have amended claim 6 to delete the term "temporarily," thereby obviating the Examiner's rejection.

The Examiner has also rejected applicants' claim 7 under 35 USC 112, second paragraph, because the term "re-sized displayed" is a relative term that renders the claim indefinite. Applicants have cancelled claim 7, thus obviating the Examiner's rejection.

The Examiner has rejected applicants' claim 1-5 under 35 USC 103(a) as being unpatentable over Yamauchi, et al. (U.S. Pub. No. US2003/0222998) publication in view of the Matsumura (U.S. Pub. No. US2002/0154228) publication. The Examiner has also rejected applicants' claims 6, 11-13 under 35 USC 103(a) as unpatentable over the Yamauchi et al. publication in view of the Matsumura publication, in further view of the Yamasaki (U.S. Pub. No. US2002/0097327) publication. The Examiner has found claims 7-10 to be allowable if rewritten to overcome the rejections under 35 USC 112, to correct the formal objections and to include all of the limitations of the base claim.


To overcome the Examiner's rejections, applicants have amended applicants' independent claims 1, 3, 5, 6 and 11 to recite the features of the allowed claim 7. Applicants' independent claims 1, 3, 5, 6 and 11, and their respective dependent claims, thus patentably distinguish over the Yamauchi, et al., Matsumura and Yamasaki publications taken alone, or in combination. Moreover, applicants' new claim 14, which recites the features of the allowed claim 7, also patentably distinguishes over the cited references.

In view of the above, it is submitted that applicants' claims, as amended, are in compliance with 35 USC 101, 35 USC 112 and patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested. If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicants' counsel at (212) 790-9200.

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COWAN, LIEBOWITZ & LATMAN, P.C.  
1133 Avenue of the Americas  
New York, New York 10036  
T (212) 790-9200

Respectfully submitted,

  
Anastasia Zhadina  
Reg. No. 48,544  
Attorney of Record